

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Valery Migachyov

Examiner in immediately preceding
parent application: Lacyk, John P.

Serial No.: Unknown

Anticipated Group Art Unit: 3736

Filed: November 3, 2003

For: INTRAURETHRAL DEVICE AND METHOD

Docket No.: 1005.1111103

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

22581 U.S. PTO
10/699989

**REQUEST FOR FILING A CONTINUATION APPLICATION
UNDER 37 CFR §1.53(b)**

Dear Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV315609887US, in an envelope addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 3rd day of November, 2003.

By

JoAnn Lindman
JoAnn Lindman

This is a request for filing a continuation application, under 37 CFR §1.53(b), of pending prior application Serial No. 09/908,467 filed on July 18, 2001, for an invention entitled INTRAURETHRAL DEVICE AND METHOD.

1. Enclosed is a copy of the prior application, including the inventor's DECLARATION of Valery Migachyov, as originally filed on April 30, 1999.
2. I hereby verify that the enclosed papers are a true copy of prior application Serial No. 09/908,467 as filed on July 18, 2001, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
3. Preliminary Amendment.

4. The filing fee is calculated below:

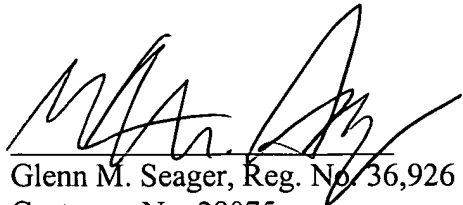
| CLAIMS AS FILED | | | | | | |
|---------------------------------------|---------------------|---------------------|--------------|--------|-------|-------|
| FOR: | (1) No. Filed | (2) No. Extra | SMALL ENTITY | | OTHER | |
| | | | RATE | FEE | RATE | FEE |
| BASIC FEE | XXXXX | XXXXX | XXXXX | \$385 | XXXXX | \$770 |
| TOTAL CLAIMS | 1-20= | 0 | X 9= | \$ | X 18= | \$ |
| INDEPENDENT CLAIMS | 1 - 3= | 0 | X 43= | \$ | X 86= | \$ |
| () MULTIPLE DEPENDENT CLAIM PRESENTED | | | +145= | \$ | +290= | \$ |
| TOTAL | | | | \$ 385 | XXXXX | \$ |

5. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-0413.
6. A check in the amount of \$ 385.00 is enclosed to cover the filing fee.
7. A verified statement to establish small entity status in accordance with the provisions of 37 CFR §§1.9 and 1.27 is of record in the prior application, and such status is still proper and desired.
8. Please find enclosed six (6) sheets of formal drawings.
9. The power of attorney in the prior application is to CROMPTON, SEAGER & TUFTE LLC. The power appears in the papers in the prior application file, and a copy is enclosed. Address all future communications to:

Glenn M. Seager
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue
Suite 800
Minneapolis, Minnesota 55403-2420

10. This patent application is assigned to HK Medical Technologies Incorporated, pursuant to the Assignment recorded at Reel 10266, Frame 538.

Nov. 3, 2003
(Date)


Glenn M. Seager, Reg. No. 36,926
Customer No. 28075

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